

### REMARKS

Claims 25, 29-30 and 58 are amended. Claims 25-62 and 65-69 are pending in the application. Of the pending claims, claims 27, 34, 41, 44 and 62 are withdrawn from consideration. The claims under consideration include claims 25-26, 28-33, 35-40, 42-43, 45-61 and 65-69.

Claims 25, 26, 28-33, 35-40, 42-43, 45-61 and 63-69 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shindo, U.S. Patent No. 5,810,983. Applicant notes that claims 63 and 64 were cancelled in a previous response and are no longer pending in the application. The Examiner is reminded by direction to MPEP § 2143 that a proper obviousness rejection has the following three requirements: 1) there must be some suggestion or motivation to modify or combine reference teachings; 2) there must be a reasonable expectation of success; and 3) the combined references must teach or suggest all of the claim limitations. Claims 25-26, 28-33, 35-40, 42-43, 45-61 and 65-69 are allowable over Shindo for at least the reason that Shindo fails to disclose or suggest each and every element in any of those claims.

As amended, independent claim 25 recites a high-purity cobalt material containing a non-cobalt metallic content of less than 50 ppm, where the non-cobalt metallic elements include a detectable amount of at least one of Mn, P, Ti, Zn, Mg, Al, V, Cu, Zr, Nb, Mo, W and Pb. Shindo discloses cobalt materials containing various amounts of K, Na, H, Ni, U, Th, C, O and Na (Table 1; Table 2; col. 7, ll. 2-9; Table 3; and Table 4). Shindo does not disclose or suggest the claim 25 recited material containing a detectable amount of at least one of Mn, P, Ti, Zn, Mg, Al, V, Cu, Zr, Nb, Mo, W and Pb. Accordingly, independent claim 25 is not rendered obvious by Shindo and is allowable over this reference.

Claims 29 and 30 are amended to properly depend from independent claim 25. Dependent claims 26 and 28-30 are allowable over Shindo for at least the reason that they depend from allowable base claim 25.

Each of independent claims 31, 38, 42, 55, and 66 recite cobalt materials containing at least one of Mn, Ti and Zn. Claims 31, 38, 42, 55, and 66 are allowable over Shindo for at least reasons similar to those discussed above with respect to independent claim 25. Further with respect to non-amended independent claims 31, 38, 42, 55 and 66, the Examiner has not commented upon or indicated how the Shindo disclosure suggests the recited combination of cobalt material and the inclusion of Mn, Ti and/or Zn. Accordingly, a *prima facie* case of obviousness has not been established with respect to any of these independent claims.

Dependent claims 32-33, 35-37, 39-40, 43, 45-54, 56-57, and 68-69 are allowable over Shindo for at least the reason that they depend from corresponding allowable base claims 31, 38, 42, 55, and 66.

As amended, independent claim 58 recites a cobalt sputtering target comprising a detectable amount of at least one of Mn, P, Ti, Zn, Mg, Al, V, Cu, Zr, Nb, Mo, W and Pb. Independent claim 58 is allowable over Shindo for at least reasons similar to those discussed above with respect to claim 25. Dependent claims 59-62 and 65 are allowable over Shindo for at least the reason that they depend from allowable base claim 58.

For the reasons discussed above, claims 25-26, 28-33, 35-40, 42-43, 45-61 and 65-69 are allowable. Accordingly, applicant respectfully requests formal allowance of claims 25-26, 28-33, 35-40, 42-43, 45-61 and 65-69 in the Examiner's next action.

Respectfully submitted,

Dated:

January 12, 2004

By:

Jennifer J. Taylor  
Jennifer J. Taylor, Ph.D.  
Reg. No. 48,711